

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

RAMON ENCARNACION LLANOS *

Petitioner, *

v. *

* CASE NUMBER

FEDERAL BUREAU OF PRISONS, et al *

Respondents. *

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SAN JUAN, P.R.
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MOTION FOR LEAVE TO FILE A REPLY TO GOVERNMENT'S RESPONSE
TO PETITION FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C. 2241.

TO THE HONORABLE COURT:

COMES NOW the petitioner Ramon Encarnacion , a federal prisoner acting pro-se who very respectfully STATES, ALLEGES AND PRAYS;

The petitioner filed for writ of habeas corpus on July 13, 2005, (docket entry # 1).

The petitioner further filed to include the institution's Warden, Ricardo E. Chavez, as a respondent in an amendment to the habeas corpus petition.

On July 25 2005, the petitioner was served a Court Order wherein the court sets a deadline for the United States to file its response by August 15, 2005, (docket entry # 2).

The Bureau of Prisons has, subsequent to the filing of the six (6) habeas corpus petitions pending in this court, retracted from its practice concerning CCC placement and is now allotting full -or close to full- CCC time for inmates at M.D.C. Guaynabo.

The inmates involved in the judicial litigation through habeas corpus have not been afforded the same treatment as two (2) other inmates who filed for judicial relief, and/or other inmates who are now -for the first time- receiving the full (or close to full) term of pre-release preparation period in CCC.

Because this social change, in the allotting full or close to full pre-release preparation time in CCC, has not been applied to the seven (7) inmates with habeas corpus petitions before this Court, such conduct in the part of the respondents brings a question of Constitutional Equal Protection which the petitioner wishes to preserve with applicable law.

The new conduct in regard to CCC placement by respondents warrant the consideration of the Court because of the new constitutional issues it presents.

WHEREFORE, the petitioner very respectfully request that this Honorable Court allows him leave to file a Reply to the Government's Response, once is filed and served on petitioner. The petitioner cites Berges v. U.S. 37 F.Supp.2d 118 (D.P.R. 1999), aff'd 2000 WL 147595 (1st Cir. 2000) as authority. There, the petitioner was allowed to file brief in reply to government's response.

Respectfully submitted.

In M.D.C. Guaynabo, P.R., this 28th day of July 2005.

Ramon G. Farren pro-se

Certificate of Service

I Certify under penalty of perjury that on the last date showing a true and exact copy of the instant motion was served on the Office of the U.S. Attorney at their address of record postage pre-paid, VIA PRO-SE WRIT CLERK.

Ramon G. Farren PRO-SE